



## Why LBJ Is Smiling: NCLB and the Bush Legacy in Education

By Frederick M. Hess

“The federal government has no constitutional authority to be involved in school curricula or to control jobs in the work place. That is why we will abolish the Department of Education [and] end federal meddling in our schools.”

—1996 Republican Party platform

“U.S. Secretary of Education Margaret Spellings today honored President Lyndon Baines Johnson in a ceremony officially renaming the U.S. Department of Education building . . . as the Lyndon Baines Johnson Department of Education Building.”

—U.S. Department of Education news release, September 17, 2007<sup>1</sup>

*While often depicted by pundits as ideologically conservative, the George W. Bush White House is a far more complex animal. Its signature No Child Left Behind Act (NCLB) dramatically expanded the federal role in education and exchanged conventional conservative themes for those borrowed from the civil rights community.*

In the 2000 presidential campaign, then-governor Bush aggressively courted the center on education. Drawing on his six years as governor of Texas, where he had earned national recognition as champion of the state’s accountability system, Bush used education reform to reassure moderates that Republicans could govern “compassionately,” woo constituencies like Latinos and African Americans, and fracture the Democratic coalition by weakening teachers unions. He criticized “the soft bigotry of low expectations” and denounced policies that had left behind millions of minority children, using the language of civil rights and social justice. Bush speechwriter Michael Gerson later explained the decision to reject “leave us alone” conservatism for a more expansive vision: “Only this kind of early ideological

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shock treatment could shift a durable Republican image of heartlessness.”<sup>2</sup>

Bush’s aspirational position proved to be good politics, allowing him to promise dramatic action while remaining vague about its costs and consequences. However, in a lesson that would have been familiar to an earlier generation of Great Society Democrats, the complex reality of NCLB proved less appealing than its promise. The assault on the racial achievement gap earned plaudits and won allies in the civil rights community, but ultimately at the cost of alienating suburban parents worried that the emphasis on basic skills was harming their children.

Bush’s diagnosis was that America’s schools were plagued by mediocrity, low expectations, and inattention to the basics. The solution: aggressively reshape their culture by holding schools accountable for raising performance and closing

racial achievement gaps in reading and math. Accountability would push educators and public officials to focus on basic skills and marginalized students. For the White House and its progressive allies, the operative concern was less the coherence of program design than the creation of a sense of urgency and cultural transformation through reshaping state and local politics.

President Lyndon Johnson, who signed the original Elementary and Secondary Education Act (ESEA) in 1965, would have approved of NCLB's soaring goals, emphasis on racial achievement gaps, and expanded federal role. Most notably, NCLB required each state to define "proficiency" in reading and math, set goals for the percentage of students who are proficient, and increase those goals over time to ensure 100 percent proficiency by 2014.

Given that no responsible observer imagined 100 percent proficiency to be a serious goal—not if "proficiency" was to have any meaning—the provision signaled that NCLB was in many ways a civil rights manifesto dressed in the guise of school reform. Indeed, Education Secretary Margaret Spellings declared at an NAACP conference, "I believe it [NCLB] is not just an education law, it's a civil rights law."<sup>3</sup>

At the very moment of what was popularly deemed a conservative "victory" in education, the Bush administration embraced a moralistic conception of accountability, a race-conscious policy, and a federal intervention rather than the limited, incentive-based, deregulatory policy model that emerged from decades of conservative critiques of the Great Society. Yet, given political constraints and the desire for substantial bipartisan support, this development is really not surprising. The fruits of victory have proven mixed at best, with Republicans gripped by buyer's remorse and voters reverting to a historic preference for Democrats on education.

## Presidential Politics and the Path to NCLB

The federal government first addressed K–12 education systematically in 1965, when Johnson won passage of the ESEA. Nonetheless, education remained peripheral until the mid-1980s. In 1988, Vice President George H. W. Bush promised to be "the education president" and called for states to establish rigorous standards. The 1992 GOP platform deemed, "The critical public mission in education is to set tough, clear standards of achievement and ensure that those who educate our children are accountable for meeting them." Republicans also began more

ardently to promote school choice, a reform strategy that appealed to the disadvantaged without requiring new funding or bureaucracy. While choice enjoyed support among African Americans and urban populations, that support would not translate into Republican votes.

Meanwhile, responding to Ronald Reagan's victories in 1980 and 1984, moderate Democrats (including Arkansas governor Bill Clinton) formed the centrist Democratic Leadership Council to champion limited government, public investment, and fiscal prudence. Education was an area of particular interest. The 1992 Democratic platform reflected the rise of these New Democrats, calling for government to stop "throwing money at obsolete programs" and hold schools accountable for "high standards of educational achievement."

After Clinton's win in 1992, Republicans made historic midterm gains in 1994. In its "Contract with America," the new Republican majority called for abolishing several cabinet agencies, including the Department of Education. In 1996, Republicans nominated Senate Majority Leader Bob Dole, whose primary education plank was a firm embrace of school choice. The effort fell flat, with polls reporting a 64–31 percent Clinton advantage on education.<sup>4</sup> For Republicans, this deficit loomed especially large because education had become a top-tier issue in the 1990s (see table 1 on the next page).

In 2000, presidential candidate Bush abandoned the ground staked out by the Contract with America and Dole's campaign and espoused "compassionate conservatism." In a July 1999 speech entitled "The Duty of Hope," Bush proclaimed that this would "not be the failed compassion of towering, distant bureaucracies." He criticized conservatives who doubted the federal government's ability to solve social problems and dismissed as "a destructive mindset . . . the idea that if government would only get out of our way, all our problems would be solved."<sup>5</sup>

Bush's association with Texas's accountability system enabled him to advocate for choice and criticize the public school establishment without appearing hostile to teachers or public education. Indeed, his opponent, Vice President Al Gore, sounded similar themes, declaring, "Every state and every school district should be required to identify failing schools and work to turn them around—with strict accountability for results and strong incentives for success."<sup>6</sup>

By addressing school choice and accountability, Bush inverted the now-familiar Republican formula—giving pride of place to standards, testing, and accountability

TABLE 1  
WHAT IS THE NATION'S MOST IMPORTANT PROBLEM? 1960–2008

ELECTION YEAR	CANDIDATES	ISSUE RANKED MOST IMPORTANT BY VOTERS	RANKING OF EDUCATION	STANDARDIZED RANK OF EDUCATION
1960	Kennedy-Nixon	Foreign relations	14th of 20 issues	Lower third
1964	Johnson-Goldwater	Civil rights	24th of 24 issues	Last
1968	Humphrey-Nixon	Vietnam	17th of 17 issues	Last
1972	McGovern-Nixon	Vietnam	26th of 26 issues	Last
1976	Carter-Ford	Inflation	Not listed among 27 issues	N/A
1980	Carter-Reagan	Inflation	23rd of 41 issues	Middle third
1984	Mondale-Reagan	Recession	17th of 51 issues	Upper third
1988	Dukakis-Bush	Drugs	8th of 26 issues	Upper third
1992	Clinton-Bush	Economy	5th of 24 issues	Upper third
1996	Clinton-Dole	Crime	6th of 52 issues	Upper third
2000	Gore-Bush	Education	1st of 11 issues	First
2004	Kerry-Bush	War/Iraq	7th of 43 issues	Upper third
2008	Obama-McCain	Economy	17th of 41 issues	Middle third

SOURCE: Roper Center for Public Opinion Research, University of Connecticut, Public Opinion Online.

rather than to choice. As Clinton did before him, Gore called for more spending and challenged Bush on this. However, Bush's bona fides equipped him to respond that compassion should be measured by results, not dollars. The 2000 national exit poll showed Gore trumping Bush on the issue that voters called the most important in a photo-finish election.

## No Child Left Behind

On January 8, 2002, Bush signed NCLB into law, declaring, "As of this hour, America's schools will be on a new path of reform, and a new path of results."<sup>7</sup> Enacted fewer than four months after the September 11 attacks, NCLB's passage in many ways signified the high-water mark of post-9/11 bipartisan comity. After a spring and summer spent wrestling over programs and technical details, final disputes were resolved, and the bipartisan compromise flew through Congress with a vote of 87–10 in the Senate and 381–41 in the House. Representative John Boehner (R-Ohio), then-chair of the House Committee on Education and Labor—who, just five years prior, had cosponsored a bill to abolish the Department of Education and increase local control<sup>8</sup>—termed NCLB the "proudest achievement" of his years in Congress.<sup>9</sup>

Bush's leadership largely quieted "big government" concerns among conservatives who had helped sink Clinton's less ambitious 1999 proposal. Eager to support the new president, conservatives who had backed the 1994 pledge to abolish the Education Department swallowed their doubts—allowing Bush to win landmark legislation that would have floundered in a Republican Congress if Gore had won the election. House Minority Whip Roy Blunt (R-Mo.) later explained, "I always had misgivings. But I did vote for it on the basis that maybe he was right and this was his big domestic initiative and let's give him a chance."<sup>10</sup> Political scientist Andrew Rudalevige remarked, "Many lawmakers wanted the president to succeed (especially on a campaign priority) more than they needed to be faithful to past positions."<sup>11</sup>

Perhaps the most revealing insight into how Bush changed education politics was that no conservative challenged the administration's proposal for an accountability system that explicitly categorized students by race. Amid ongoing challenges to affirmative action, a federal measure requiring states to identify every student by race and then report test scores—and impose sanctions—on that basis marked a radical departure. It might have been expected to provoke a firestorm. Instead, even prominent champions of color-blind policies remained silent.

NCLB was not the first attempt to ensure that federal dollars were making a difference for disadvantaged students. Such concerns had been voiced since the inception of ESEA. The first serious attempt to address them came in 1994, when the Clinton administration pursued a reauthorization that, with companion legislation, required states to establish academic standards for each grade and create tests to assess performance. All poor children were to be tested at least three times between grades three and twelve. The Education Department's enforcement authority was limited, however, by compromises demanded by congressional Republicans fearful of federal overreach. By 2002, two years after the target date for full compliance with the law, just sixteen states had done so.

In 1999, ESEA was again due for reauthorization. The Clinton administration forwarded a proposal that built on the 1994 law, requiring states to test all students regularly and creating a larger federal role to ensure compliance. The bill went nowhere in the Republican Congress.

Within days of taking office, Bush sent Congress a slender, twenty-six-page legislative blueprint entitled "No Child Left Behind" that drew on his gubernatorial experience and outlined the four principles of "increasing accountability for student performance," "focusing on what works," "reducing bureaucracy and increasing flexibility," and "empowering parents."<sup>12</sup>

Bush proposed that the federal government demand increased accountability for achievement while providing more flexibility and funding. He called for annual testing of all students in grades three through eight, with scores publicly reported by race and class. Schools that failed to demonstrate acceptable performance for two consecutive years would be subject to corrective action. If schools failed to perform adequately for three straight years, disadvantaged students could use Title I funds to attend any high-performing public or private school—essentially transforming federal aid into a voucher. States were to be granted more flexibility with incentives to spend federal dollars for teacher quality on reforms like merit pay. The document proposed a federal "Reading First" initiative and emphasized improved math and science instruction, English fluency for "Limited English Proficient" students, parental choice, and school safety.<sup>13</sup>

Bush's vision had much in common with Clinton's. One congressional aide who had worked in the Education Department in the 1990s said, "The Bush administration took the Clinton administration's ideas and ran with them."<sup>14</sup> Tom Payzant, who served in Clinton's Department of Education, observed, "NCLB is consistent

with the 1994 reauthorization, but there's a level of prescription with respect to implementation that [Democrats] would have been soundly criticized for."<sup>15</sup> Former representative Bob Schaffer (R-Colo.) later noted, "[NCLB] was not a unique idea by candidate George Bush. . . . [I]t was attempted during the Clinton Administration, too. The difference is this: When President Clinton was in the White House . . . not only did [Republicans] kill these bills . . . we boasted about how, as conservatives, we had avoided this train wreck."<sup>16</sup>

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Seeking a broad coalition that included recognized education leaders, the administration actively sought support from key liberals in Congress, particularly Senator Edward Kennedy (D-Mass.) and Representative George Miller (D-Calif.), the ranking Democrats on the education committees, who played an outsized role in shaping the law.

**Crafting a Bipartisan Bill.** The price of broad congressional support was a radical overhaul of the original proposal. The final, elephantine compromise melded Bush's blueprint with a host of equity-oriented provisions while sharply curbing proposals for school choice and state flexibility. Although NCLB came to be considered a "Bush" law—in no small part because the White House spent the next several years touting it while Democrats backpedaled—the final bill was a tangled assemblage of administration proposals, New Democratic ideas, and provisions championed by Kennedy and Miller.

The White House skirmished with and occasionally appeased die-hard conservatives, who—while not trying to kill the bill—did demand language to limit explicitly extending the federal government's reach. For instance, Schaffer's proposal to "prohibit the Department of Education from dictating or controlling state education curricula" was adopted by a simple voice vote. Consequently, NCLB's ambitions were rarely drawn with much precision, a reality that would greatly complicate implementation for the department.

A rallying point for the law's allies was the requirement that every school have 100 percent of tested students proficient in reading and math by 2014 (twelve years after its implementation). This audacious goal provided civil rights groups a lever they could use to shame authorities and argue for new resources in the courts and the administration an inspiring objective that could help transform the culture of schooling.

The bill's most significant provisions addressed accountability, testing, and teacher quality. Seeking to avoid anything that resembled a national curriculum, however, these elements were draped in ambiguity. In the end, federal funding was conditioned on states adopting standards, tests, and systems for remedying schools that failed to make "adequate yearly progress" (AYP), but the law carefully stipulated that the federal government would not determine standards, tests, or definitions of AYP.

Thoughtful progressives considered the final bill a massive triumph for their cause. Robert Gordon, adviser to 2004 Democratic presidential nominee John Kerry, challenged critics of NCLB for betraying liberal values, arguing, "Progressives are misled by the logic of their own Bush-hatred: Bush is for NCLB, so NCLB must be bad. Never mind that President Clinton embraced accountability before President Bush." He elaborated, "At its heart, [NCLB] is the sort of law liberals once dreamed about. In the 1970s, liberal litigators fell one vote short of a Supreme Court decision requiring evenhanded education funding. NCLB doesn't guarantee funding, but it goes one step further by demanding educational results. . . . The law requires a form of affirmative action: States must show that minority and poor students are achieving proficiency like everyone else, or else provide remedies."<sup>17</sup>

NCLB marked both a revolution and an evolution in federal policy. While it extended two decades of reform efforts, as Chester E. Finn Jr. and I have observed, "It has no precedent: it creates stern federal directives regarding test use and consequences; puts federal bureaucrats in charge of approving state standards and accountability plans; sets a single nationwide timetable for boosting achievement; and prescribes specific remedies for underperforming schools."<sup>18</sup>

**School Choice.** Perhaps nowhere was conservative displeasure with NCLB greater than when it came to school choice and vouchers. Bush's original blueprint called for increased choice, including funding for vouchers and charter schools. Although vouchers were a supposed Bush

priority, they were gone from the draft legislation by spring 2001. The only explicit school choice provision in the final bill allowed students attending a Title I school that failed to make AYP for two consecutive years to transfer to an adequately performing public school.

Whether this represented a strategic decision or merely a lack of votes is an open question. Then-education undersecretary Eugene Hickok later explained that the president did not want to "sacrifice accountability on the altar of school choice."<sup>19</sup> The administration's chief NCLB negotiator, Texas attorney Sandy Kress, disputed this account, saying, "We fought for [vouchers] and found insufficient support for [them] or anything like [them] to pass. . . . There were votes on a variety of choice proposals. Other than public-school choice and supplemental services, they all went down by significant margins."<sup>20</sup>

**Highly Qualified Teachers.** Bush's blueprint contemplated nothing like the groundbreaking "highly qualified teacher" provision that emerged. On funding for teachers, he proposed combining eighty-seven teacher training programs into "performance-based grants," giving states and districts more flexibility to pursue innovative programs like merit pay.<sup>21</sup>

During negotiations, however, Miller took the lead and crafted prescriptive requirements intended to boost the ranks of licensed teachers. He called for requiring new and veteran teachers to hold a college degree and state certification and to demonstrate subject content mastery. These proposals contrasted starkly with the results-in-return-for-flexibility approach favored by Bush and the New Democrats.

Miller's position was a frontal rejection of the argument that colleges of education and teacher licensure were part of the problem. Conservatives argued that there was little correlation between certification and teacher quality and that required preparation did not improve teacher effectiveness; they worried that these requirements instead deterred potentially promising teacher candidates. Rod Paige, Bush's first-term Secretary of Education, spent most of 2001 advocating for loosening licensure regulations and expanding alternative certification programs.

The administration ultimately accepted Miller's proposal—taking solace in the provision that teachers would be required to demonstrate content knowledge. Kennedy, however, a staunch ally of teachers unions, weakened this requirement by crafting an exception termed the "high objective uniform state standard of evaluation" (HOUSSE). HOUSSE allowed veteran

teachers to demonstrate subject expertise without passing a test. Critics decried the measure, with Stanford professor Terry Moe asserting, “The HOUSSSE provisions create a loophole big enough to drive three million veteran teachers through.”<sup>22</sup>

## Implementation

Implementing NCLB proved a daunting challenge. Monitoring state accountability systems and intervention strategies and overseeing fidelity to matters like “scientifically based research” proved incompatible with the thirty-five-year-old ESEA machinery that was designed to allocate money. The expectation that states could create standards, seize low-performing districts, and monitor the quality of supplemental service providers, or that districts could restructure troubled schools, proved to overestimate both capacity and will.<sup>23</sup> In practice, the Education Department relied on moral suasion and political allies.

This challenge was made worse by allies of the law who had found common ground by embracing unassailable sentiments like 100 percent proficiency, impressive-sounding remedies for low-performing schools, highly qualified teachers, and scientifically based research. Ambiguity about these terms yielded immense confusion about how the provisions should be implemented and little attention to unanticipated consequences. The requirement that states set steadily increasing proficiency goals, coupled with an ability to manipulate the proficiency bar, had the perverse effect of rewarding states for setting a low bar.

In an ironic twist, fifty states establishing divergent standards under NCLB’s framework fueled support for national standards—a decade after congressional Republicans opposed the Clinton administration’s voluntary national standards. Two former Republican education secretaries argued that the politically expedient compromise had proven unworkable, writing that NCLB “expected individual states to set their own academic standards and devise their own tests and accountability systems,” which “sound[ed] good, but . . . is working badly.”<sup>24</sup>

**The Price of Ambition.** One awkward question created by NCLB was how a conservative administration would respond to states that recoiled against federal authority. How ardently would the White House lean on states willing to opt out of NCLB and forfeit federal dollars?

The administration aggressively reined in these states, refusing to tolerate criticism of the law and alienating

those it regarded as critics. In 2006, Spellings famously told reporters, “I like to talk about No Child Left Behind as Ivory soap. It’s 99.9 percent pure. There’s not much needed in the way of changes.”<sup>25</sup> Deputy Secretary Raymond Simon echoed the once-popular Bush administration motto about Iraq, saying, “We need to stay the course. The mission is doable, and we don’t need to back off that right now.”<sup>26</sup>

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By 2004, more than a dozen states expressed interest in throwing off the mandates of the law. Virginia’s Republican-controlled House of Delegates voted 98–1 to condemn NCLB for “represent[ing] the most sweeping intrusions into state and local control of education in the history of the United States.”<sup>27</sup>

When reliably Republican Utah was on the verge of opting out of NCLB in 2005, the Education Department responded with a full-scale assault.<sup>28</sup> Implying that the state’s leaders were insufficiently concerned about minority children, the department issued a release that declared, “States across the nation who have embraced No Child Left Behind have shown progress: student achievement is rising and the achievement gap is closing. The same could be true in Utah, whose achievement gap between Hispanics and their peers is the third largest in the nation and has not improved significantly in over a decade.”<sup>29</sup>

In its response, the administration sided with the influential, progressive advocacy group the Education Trust, which charged that, although achievement among Utah’s minority students was lagging, “some lawmakers and educators in Utah are expending enormous energy to fend off . . . the federal law that aims to raise overall achievement and close gaps between groups.”<sup>30</sup> The administration used similar language in episodes in Connecticut and elsewhere.<sup>31</sup>

The administration also found itself in the awkward role of bragging about its K–12 spending. Despite criticism from Democrats, funding for education increased more dramatically under Bush than it had under Clinton.

In Bush's first term, federal appropriations nearly doubled, from \$29.4 billion to \$55.7 billion. It was not until after Republicans lost Congress in 2006 that the president made budgetary discipline a virtue.

Just as Democrats have long had trouble getting credit even when fiscally disciplined, the Bush administration had trouble scoring points even for its lavish spending. Kennedy and Miller, Bush's erstwhile partners, were particularly critical. Kennedy argued, "The federal government has failed to provide the resources that states and school districts need. . . . Assessment and accountability without the funding needed to implement change is a recipe for failure."<sup>32</sup>

**The New Politics of Education.** Where Republicans once had success blaming the consequences of Great Society initiatives on fuzzy thinking and undisciplined spending, Democrats could now reciprocate by critiquing the Bush administration (justly or not) for incompetent implementation and inadequate funding. And where programs like welfare once had provided conservatives with examples of incompetence and perverse incentives—enabling them to embrace a "safety net" in principle while decrying Democratic legislation—so NCLB allowed Democrats to support the principle of accountability while critiquing troubling examples of testing.

Some members of Bush's team always recognized that implementation would depend on the inclination of educators to "do the right thing." Kress recalled, "Curricula only narrow when poor teachers and/or administrators allow that to happen. . . . Poor practitioners do this and then blame it on NCLB. . . . That some engage in goofy practice should never be the basis for policy."<sup>33</sup> Ultimately, though, the law offered the Education Department few tools (beyond the bully pulpit) for preventing educators who responded to NCLB by embracing "goofy" practices.

By 2007, the administration faced a full-fledged backlash from congressional Republicans in a clash that looked much like the intraparty fight over immigration reform. Small-government conservatives accused the president of abandoning conservative principles in the service of grandiose ambition and flawed political strategy, while Bush criticized his opponents for small-mindedness, bigotry, and a lack of vision. Schaffer, one of NCLB's most pointed critics, argued, "In some ways, [NCLB] foretold what was going to happen on some other issues, including spending. The Congress rolled over for this White House and, I think, moved away from some of our principles."<sup>34</sup>

By mid-2007, five Republican senators and more than fifty House members were calling for the law's repeal. The weakened administration could not reach a deal with Kennedy and Miller, committee chairs in the Democratic Congress, for NCLB's scheduled reauthorization.

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## Conclusion

Just as some have described Clinton's 1996 welfare reform as Reagan's greatest domestic accomplishment, so might NCLB be termed Clinton's crowning achievement. Welfare reform required Clinton to attract crucial Democratic votes and validate the emergence of a new consensus, just as New Democratic efforts to establish federal leadership on educational accountability required a Republican president to broaden the coalition and quiet conservative concerns. The irony is that NCLB leavened 1990s-style accountability with Great Society-style ambition and race-conscious rhetoric, while lacking attention to the program design that characterized Clinton-era efforts to reform welfare and "reinvent government." The resulting law relied more on moral exhortation than on calculated goals, metrics, or incentives.

Whatever one makes of Bush's broader record, it is a stretch to argue that the administration's K-12 reforms reflect conservative impulses. NCLB involved Washington in defining teacher quality, embraced an accountability system that labels children by race, made closing racial achievement gaps a central tenet, and turned bragging about education spending into a bipartisan sport. In so doing, it established expansive precedents for future Democratic administrations and created commitments that might be impossible for the GOP to unwind.

The comfort with grand policies and large budgetary commitments and the tendency to depict opponents—particularly those on the right—as mean-spirited or racially insensitive reflect rhetoric and tactics that conservatives traditionally ascribe to liberal excess. The Bush experience raises the question of whether some of the behaviors usually disparaged by conservatives as "liberal" are instead the tools of majoritarian governance—

employed to prod reluctant legislators to support ambitious bills whose tangled provisions might otherwise attract skepticism.

When NCLB was enacted, Bush enjoyed extraordinary public approval ratings of 90 percent. As his support plunged, Democrats were able to walk away from the law's unpopular provisions and blame insufficient funding or botched implementation. As Miller opined, "I would give [NCLB] an 'A' for trying to develop a system to make sure that each and every child is proficient," but "an 'F' for funding," and "a 'C' for implementation."<sup>35</sup> Kennedy declared that NCLB "has become a symbol of controversial, flawed, and failed policy."<sup>36</sup>

Given the degree to which he tried to accommodate Democrats, why did Bush receive so little credit from the left? Four reasons stand out. First, growing polarization over the Iraq war colored popular perception and led many to react based on passion rather than policy particulars. Second, Democrats wanted NCLB funded at amounts exceeding even the substantial increases the administration proposed. Third, the National Education Association (NEA) opposed key NCLB provisions, and while some "reform" Democrats stood with the administration, most lined up with the NEA's 2.5 million members. Finally, the American public has historically had affection for educational accountability in principle but much more mixed opinions when it affects their children and schools. An annual Phi Delta Kappa/Gallup poll has demonstrated that public attitudes toward NCLB have grown more skeptical over time as accountability standards have risen and corrective action has disrupted routines.<sup>37</sup>

Democrats, as the opposition, were naturally inclined to cater to those sentiments. Meanwhile, White House efforts did not yield the anticipated political rewards. In 2008, Gallup reported that voters thought Democrats cared more about education than Republicans, 44–27 percent.<sup>38</sup>

For all its reversals, the administration can claim real successes. NCLB yielded transparency, focused unprecedented attention on achievement, offered political cover to superintendents eager to challenge the status quo, and reshuffled the national politics of schooling. Influential civil rights groups like the Citizens' Commission on Civil Rights became stalwart administration allies, marking a historic break between civil rights advocates and teachers unions. Abandoning an earlier era's focus on desegregation and court-ordered remedies, they embraced NCLB as a tool to force districts to focus on poor and minority students.

Bush's education legacy will ultimately hinge on which proves more lasting: the cultural transformation that he sought or the disenchantment and unanticipated consequences that accompanied it. The administration launched a new era in K–12 education, one marked by the emergence of a "reform" wing in the Democratic Party battling the teachers unions, educators relentlessly focused on student achievement and racial achievement gaps, and china-rattling superintendents in cities from New Orleans to New York to Washington, D.C. Whether this new era will deliver the educational or political returns that Bush once envisioned will only become clear on his successor's watch. Somewhere, LBJ is wearing a wry, ironic smile because a supposedly conservative president extended his landmark education legislation, infusing it with a grand ambition of which the late president could only dream.

## Notes

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10. Quoted in Peter Baker, "An Unlikely Partnership Left Behind," *Washington Post*, November 5, 2007.

11. Andrew Rudalevige, "No Child Left Behind: Forging a Congressional Compromise," 42.

12. George W. Bush, "No Child Left Behind," January 23, 2001, available at [www.whitehouse.gov/news/reports/no-child-left-behind.pdf](http://www.whitehouse.gov/news/reports/no-child-left-behind.pdf) (accessed November 15, 2008).

13. *Ibid.*

14. Quoted in Siobhan Gorman, "Bipartisan Schoolmates," *Education Next* 2, no. 2 (Summer 2002): 40.

15. Quoted in Julia Hanna, "The Elementary and Secondary Education Act: 40 Years Later," *Ed. Magazine* (June 1, 2005), available at [www.gse.harvard.edu/news/2005/0819\\_esea.html](http://www.gse.harvard.edu/news/2005/0819_esea.html) (accessed November 15, 2008).

16. Robert Schaffer and Peter Hoekstra, "Educational Freedom in the Wake of No Child Left Behind," *Heritage Lectures*, no. 1016 (April 25, 2007): 4.

17. Robert Gordon, "Class Struggle," *The New Republic* 232, no. 21/22 (June 6, 2005): 24–27.

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